The Washington Post

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The President's Vetoes

President Nixon vetoed a series of bills last week in an effort, he said, to rescue the country from the prospect of a tax increase. Fair enough. Let us set aside our fundamental doubts regarding the President's whole fiscal strategy and consider the issue on the President's terms. On those terms, the question for the voter is whether he would rather have the benefits carried in the legislation or, instead, preserve the recent cuts in the personal and corporate income taxes.

The most significant of the vetoed bills, and the only one with any immediate effect on spending, is the appropriation for the Department of Health, Education and Welfare. Mr. Nixon asked for $28.8 billion, and last summer Congress appropriated $30.5 billion. Mr. Nixon vetoed the bill as excessive. Congress then passed the $30.5 billion appropriation again this month, adding as a concession a provision permitting the President to make limited reductions in any item. Now Mr. Nixon has vetoed it again.

The collision is over the level of federal support for medical care and for schools. In these areas Mr. Nixon requested less money this year than Congress gave him last year. His proposal would have sharply reduced the money that supports training for medical and health technicians and specialists, and health services planning and development. In education, the President's chief targets were support for libraries, and the special aid for school systems like those in the Washington area that enroll many children of parents who are employed in tax-exempt federal installations.

Congress, in the twice-vetoed bill, would have increased the federal health budget from the President's request of $4.2 billion to $5.1 billion. The biggest increases would have been in medical research, mental health, and the same health manpower training fund that Mr. Nixon would have cut. Congress would have increased the education money from the President's request of $3.3 billion to $4.1 billion, with the greatest increases in general aid to elementary and secondary schools, vocational education, education for the handicapped and, once again, the areas in which Mr. Nixon wanted to cut. The total difference between Mr. Nixon's HEW request and Congress' bill is $1.8 billion, or $8.50 per American.

A different kind of choice lies behind the President's veto of the Public Works and Economic Development Act extension. This kind of choice can be expected to arise repeatedly in a second Nixon administration. The middle 1960s generated a great deal of social legislation of which much has turned out to be indisputably ineffective and wasteful. Mr. Nixon wants to get rid of it. So far, so good. But Mr. Nixon seems to have no plans to replace it with better legislation. While some of the existing programs may have proved to be the wrong answer, they addressed evils that continue to be deep and painful. Killing off some of the last administration's solutions is justified. But the present administration has a responsibility to come up with something better.

In this case, Mr. Nixon is ending one attempt to increase employment in this country's chronically depressed areas. His veto ends the program, but it does not end the unemployment in Appalachia. The administration points out that it will save a certain amount of money by doing nothing. But there is the larger matter of the national resources wasted by this easy toleration of idleness in those parts of the nation that are afflicted, through no fault of their own, with dying industries. This vetoed bill suggests the iniquity of using the budget and the spending level as the final test of federal policy.

The practice of pouring money into public works, as a device to increase employment, is an increasingly obsolete remnant of the 1930s. As Mr. Nixon has accurately observed, construction funds are no longer effective in creating large numbers of new jobs quickly, and they only stimulate an industry that has been a notorious leader in wage inflation. But if public works are not the answer, Mr. Nixon appears to offer no other. He has ended one treatment, but he has not commenced any other. He only observes that we are now saving money on medicine.

These vetoed amendments also acknowledged that the effects of the new federal pollution control laws are not going to be evenly distributed throughout the country. Some regions will feel the weight of the new laws more sharply than others. Those least able to cope with them will be, obviously, depressed areas living on marginal industries. In the amendments, Congress sought to offer a measure of assistance. "These provisions," said Mr. Nixon in his veto message, "would be highly inequitable and almost impossible to administer." But, once again, if Mr. Nixon does not like the congressional solution, what better solution does he propose?

There is one very large bill that has not yet appeared in the White House list of signatures and vetoes. The Social Security bill would raise spending $5.4 billion in its first full year, and it sets a very awkward choice for Mr. Nixon. It consists almost entirely of improvements that he requested, and it carries a payroll tax increase to cover most of the cost. It ought to be passed. But it comes at a moment when Mr. Nixon is making a great show of his struggle to keep spending down to an arbitrary limit of $250 billion. The Social Security bill illustrates the considerable danger of making a fetish of that $250 billion limit. It is not terribly significant whether spending exceeds a round figure plucked out of the air in the course of an election campaign. The real question is whether the voters wants the benefits that federal money buys, and whether he wants them badly enough to pay for them.

Awaiting a Decision on Lead

It has been known for some time that the Environmental Protection Agency will soon issue a new ruling on reducing lead from gasoline. The need for a ruling is the obvious health and environmental hazard caused by lead's presence in gasoline. Among the health threats, questions have been raised about dangers among children who ingest sidewalk dirt or dust contaminated with gas fumes that have settled. Figures are not available on the physical and mental effects caused by lead poisoning of this type. We do know that 200 deaths a year, along with 6,000 cases of mental retardation, occur when youngsters—crawling infants up to 5-year-olds—eat paint chips containing lead.

Last February, EPA proposed regulations calling for a two-thirds reduction of the lead content by 1977. In June, 13 senators and 36 representatives argued persuasively that a total ban was needed, not a two-thirds reduction. They insisted the latter would still leave "substantial quantities of lead—enough to pose grave dangers to children." In addition, the cost of total elimination was estimated at only two cents a gallon. Since the June congressional proposal, EPA has uncovered new facts regarding the hazards of lead in street dirt. In addition, the Center for Science in the Public Interest reports that 20 of about 200 samples of dirt taken from areas near streets in Washington have dangerous amounts of lead. If only a two-thirds reduction occurs, the center said "the consumption by a child of only 1/32 of a teaspoon of dirt per day would be enough to exceed the maximum daily permissible dose." Not surprisingly, the authors of a September EPA draft document say that "EPA's previous lead in gasoline regulation calling for a 60-65 per cent reduction . . . must be considered inadequate to protect the public health."

With this statement, plus the new studies pointing to the possible hazard of lead in dirt, the case for total banning becomes even stronger. It is puzzling why the two-thirds regulation has not been issued; eight months have passed since its proposal. This slowness in the review process, as Senator Hart of the Senate Subcommittee on the Environment and other senators have noted, "can only work to the detriment of the urban poor and others who may now be poisoned by lead in gasoline."

It is true that a two-thirds reduction is an important step forward, and will be welcomed when it is enforced. But what appears to be needed is not only a step forward but a jump, a large one. Until all lead is removed from gasoline, a potential health hazard will remain.

Sexism in the Statutes

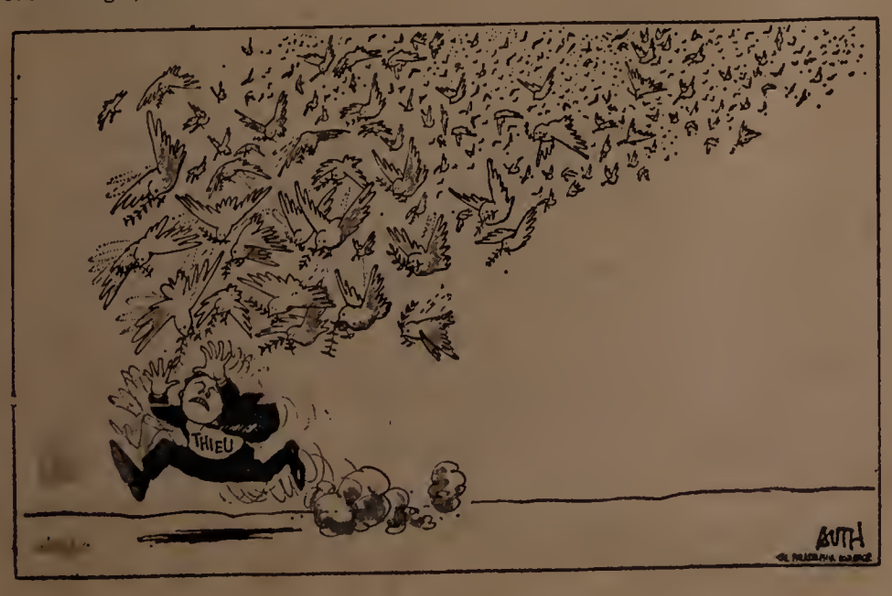
With the advent of the federal equal rights amendment and similar measures in many states, Congress and state legislatures will face the job of purging from the statute books all those provisions which discriminate on grounds of sex. A study of Maryland laws just completed by the state's attorney general, Francis B. Burch, suggests how extensive that job may be.

Mr. Burch's survey, requested by the Maryland Commission on the Status of Women, turned up no fewer than 227 sexist clauses and concepts in the Maryland codes. Some of these are downright prejudicial to women. Others were intended to be protective, and perpetuate in law the shields and chivalry of an era now passed.

Some of the offending provisions should be easy to change, such as a law exempting women (along with persons over 64) from paying state oyster tonging fees. Other provisions, though, raise broad questions and will no doubt provoke impassioned debate about the legal, social and economic import of the concept of equal rights. In this category are, among others, statutes relating to marriage, divorce, custody of children, and sex-related crimes.

The Maryland survey is timely and useful, for the state's proposed equal rights amendment, passed by the General Assembly, will be on the statewide ballot on November 7. If approved by the voters, it will take effect at once. The federal amendment is not quite so imminent, since it would become effective two years after its ratification by 38 states. To date 27 states have acted favorably.

Yet even a few years is a short time in which to bring the nation's entire body of federal and state laws into accord with the advancing law and spirit of equal rights. Congress and state legislatures should be preparing now to give the entire, sweeping subject close attention and thorough debate. As a rule, carefully legislated reforms will be far preferable to the piecemeal alterations which could result if the job is left to the nation's courts.



A DEBATE:

This is the third in a series of exchanges on Presidential campaign issues between William L. Safire, Special Assistant to the President (left), and Frank Mankiewicz, National Coordinator for the McGovern campaign (right). Today the participants were invited to take up any, or all, of a number of domestic issues—welfare reform, busing, civil rights and civil liberties—which they considered most significant.

Mr. Mankiewicz:

Mr. Nixon as "Permissive" With the Constitution . . .

Mr. Nixon has said this election represents "the choice of the century." With the exception of the short-term war issue, in no area is this so clear as in that of the approach to civil liberties and civil rights. Briefly put, on the record of their public careers and this campaign, George McGovern respects the Constitution and Richard Nixon does not.

Throughout his public career, and particularly since taking the oath as President, Mr. Nixon has given ample evidence that, far from being a "strict constructionsit," he is the most flexible and permissive of men when it comes to the Constitution.

Mr. Nixon's notion of a judiciary independent of political pressures found early expression when, in his only recorded public statement in favor of civil rights, he hailed the school desegregation decision of 1954 as having been issued by "a great Republican Chief Justice." The irony of Mr. Nixon's praise of his old enemy Earl Warren—was not lost on California observers.

Since then, the attack on the judiciary has been more consistent. No President in our history has so demeaned the Supreme Court as did Mr. Nixon in his one term. Four of his nominees were deemed unfit—two by the Senate and two by the organized bar—and two of those (Mr. Carswell and Ms. Lillie) were unquestionably the least competent nominees ever. And two of his appointees who were confirmed, Burger and Rehnquist, have distinguished themselves since by highly unjudicious conduct—the Chief Justice by joining in a lobbying effort against consumer legislation, and Mr. Justice Rehnquist by casting the deciding vote in a case he had previously judged as the lawyer for one of the parties.

It was Mr. Nixon's notion, at the time of the Carswell fight, that he had the sole right to appoint justices, despite the plain mandate of the Constitution to the contrary, and it was Nixon's friend, former law partner and Attorney General, John Mitchell, who propounded until stopped cold by the Supreme Court the astounding notion that the President had the right to tap anyone's phone if he thought something subversive was going on. It makes much more explicable the remark of Bernard Barker, one of those indicted for burglary at the Watergate that he thought of himself more as a cop than as a burglar.

The assault on the judiciary continued in other ways. Only recently Mr. Nixon chose to indict the judiciary for the increase in drug addiction, citing "permissive" judges he did not—and will not—identify.

Worst of all, however, is Mr. Nixon's habit of attacking and posing as the aggrieved enemy of decisions he has political reason to dislike or disapprove. In the wake of school decisions following that of the "great Republican Chief Justice" came from some which called descgregation of some school districts which had not moved for nearly twenty years. Mr. Nixon's response was to condemn evenly the courts and the segregationists—"there are those," he said, who call for "instant integration" and those who call for segregation forever. It was vintage Nixon—steering a middle path between nonexistent extremes — but it set back racial peace in the process.

This was perhaps nowhere better demonstrated than in his shameful exploitation of the busing issue deliberately to exacerbate racial tensions. Less than 1 per cent of all U.S. students were being bused by court order when Mr. Nixon stepped in, and the issue—North and South—was well on its way to a peaceful solution. Today, he even talks of a Constitutional Amendment to prevent it. A Constitutional Amendment on school busing would demean the document only slightly more than would one requiring automatic pinspotters in bowling alleys of more than twelve lanes, but the lawyer in Mr. Nixon has never been dominant.

"Watch what we do, not what we say," John Mitchell once advised a black civil rights advocate, and sure enough, we have. The result of the watch is that black supporters of Mr. Nixon can be counted on the thumbs of one hand, so steady has been the flow of actions hostile to equality and integration. Only a strong fight mounted in Congress by the NAACP and its allies saved the Voting Rights Act from the Nixon attack, and in other areas the record has been equally squalid. The Fair Housing Act of 1968 has disappeared in a sea of Nixonian prose about "forced intcgration," and the Philadelphia Plan has been abandoned, along with affirmative action to bring blacks into federal employment.

All of this, however, tends to pale when placed along side the campaign of political espionage and sabotage now revealed to have been taking place the past year or so. An organized effort, using secret campaign funds, under the control of two Cabinet officers (Mitchell and Stans), two White House aides (Magruder and Haldeman) and Mr. Nixon's personal attorney, to destroy (there is no better word) the opposition party—that is a serious business.

In admitting that it took place, Mr. Connally and Mr. MacGregor and Sen. Dole have talked airily of "capers" and "pranks." But burglary is not a caper, and forgery is not a prank. And when both are put by the President's men at the service of an assault on the electoral system itself, a debate on civil liberties beeomes rather one-sided. We may have had our staff troubles, but no one we have hired has been indicted. Senator McGovern's campaign funds are out in the open, and so is what he has done with them. The debate on civil liberties can properly begin when his opponent does the same.

Mr. Safire Replies:

About civil liberties: Remember when newsmen were rousted out of bed in the middle of the night, and when an "internal security" tap was placed on Martin Luther King's telephone? That did not happen in this administration. Today, there are far fewer security taps—the kind that require the Attorney General's approval instead of a court order—than existed ten years ago. In that central instance, Mitchell's "watch what we do" was good advice.

About judges: "The Supreme Court follows the election returns," said Mr. Dooley, and what's so bad about that? Vote for Nixon and you get a Warren Burger, vote for McGovern and you get a Ramsey Clark. Afterward, if you complain about court appointments, you're not complaining about the President, you're complaining about the will of the people.

About the Watergate: A new technique of advocacy journalism has arisen — "linkmanship." Here is how it is played:

Today, you say that Mr. A has been investigated about the Watergate. Tomorrow, you say that Mr. A—who can then be identified as "linked to the Watergate probe"—has been in touch with Mr. B on any matter. The next day, you identify Mr. B—who does not have the remotest connection with the Watergate episode—as "linked earlier this week to the Watergate break in."

A civil libertarian might ask, "Linked by what evidence or by what accuser?" Naive question. No actual connection is needed for an experienced linkman to link a person to skullduggery, *for the charge of link is the fact of link.*

When a politician or reporter does the linking, he has a clear field to refer to his victim the next day as "linked." This is an important development in journalism; The Washington Post, which used the word "linked" 41 times last week, is undisputed linkmanship leader.

No, Frank, nobody is out to "destroy" the opposition. (Woodrow Wilson said: "Never murder a man who is committing suicide.") After Nov. 7, the opposition will re-group in the best tradition to fight again another day.

And the new term will be a time of new ideas. On your Automatic Pinspotter Amendment, would you be willing to compromise on 24 lanes?

Mr. Safire:

. . . And Senator McGovern as "the Quota Candidate"

Some presidential elections are decided on the basis of personalities, others on issues; this may be the first to be decided primarily on the basis of values.

The conflict of values was described by President Nixon in his Labor Day address as between the "work ethic," stressing individual self-reliance, and the "welfare ethic," stressing reliance on government.

McGovern and friends mistakenly took "welfare ethic" to mean "loafers and bums" and blasted Nixon for insensitivity, hastily adding that they, too, deplored welfare chiseling — as McGovern put it, lip curled, "I wouldn't give them a dime."

There is good reason for McGovern to avoid the clash of values; he realizes belatedly that this battleground is wrong for him. But the "welfare ethic" — which uses the word welfare as in Welfare State, going far beyond necessary aid to the dependent — is at the heart of this values election.

The welfare ethic is the habit of turning to the federal government for solutions to everything. As the addiction to paternalistic government has grown, the personal freedom of the individual has shrunk, until the person is left feeling powerless and alienated — "a stranger and afraid, in a world I never made."

To protect the basic value of personal freedom, most Americans have turned against paternalism and are rejecting the kind of buttinsky government McGovern has come to represent. Specifically:

1. Quotas. In the most vivid sense, McGovern is the Quota Candidate — he would not be the candidate were it not for the quota system imposed by his "reform" commission to hamstring the democratic process in the Democratic Party. After flirting with promises of quota-hiring to minority groups, he quickly about-faced when many of his own supporters reacted sharply — they saw quotas as a government intrusion into a citizen's right to be judged on his own ability.

But the President wouldn't let McGovern get away with this particular flip-flop: "You cannot have it both ways," he said. "You cannot be for quotas in limiting political opportunity and against quotas in limiting economic opportunity. The basic idea of quotas is anti-ability wherever it is applied.

2. Involuntary Busing. This is a bad means to a good end. Nixon is against it. McGovern is all over the lot about it. It is a perfect example of well-intentioned paternalistic government policy riding roughshod over the values of the majority of citizens — in this case the normal desire to have children educated in neighborhood schools.

The social royalists who need a symbolic Appomattox every few years are not satisfied with successful desegregation accomplished in a way that improves race relations—no, somebody has to be punished for collective guilt, no matter what it does to education or personal freedom. President Nixon won't buy that, and his stand is unequivical; McGovern's stand is that it is inflammatory to discuss a subject that will go away if we ignore it.

3. Spending and taxes. Rhetoric aside, McGovern would spend and tax more than Nixon. It would follow, as the night the day, the average man would have less of a choice in how he spends his earnings. The paternalist would say that's good — government would spread the money around more fairly, according to need. But there is a human value they forget — what FDR called "room to turn around," the average man's need for a little pocketbook freedom — a say in how his money is spent, expressed in the way he spends it himself.

4. Welfare itself. One basic value at issue here is whether a person who works should receive more than a person who does not work. In Nixon's plan, the answer is yes — he proposed to include the working poor in his welfare reform, to make certain there is always an incentive to go to work. This month's version of McGovern's plan continues to dismiss the subject of working poor as a matter some technocrats can work out later.

Despite the strained efforts by McGovernites to make the two fundamentally different approaches appear similar (I love you, Alice M. Rivlin), Nixon's recognizes the human value at the center — the morality of reward for work — and McGovern's plan misses the point.

The welfare ethic, paternalism, buttsinsky government — all these are attack words on an approach held by people who do not seek to be dictators, who want only to do justly — but who do not understand that leadership in a democracy must adjust its goals and techniques to the values of the great majority of the people.

Nine days from now, Frank, after the final brave duty is done, your candidate will look at you and ask "Why?"

There will be a temptation to blame the 3 a.m. acceptance speech, Eagleton, the press, the labor leaders, the kids who did not turn out; to blame the economists with their thousand plans, the welfare experts with their thousand dollars, and the candidate with his thousand per cent; to say you were crushed by the onslaught of saboteurs, the onrush of money and the onset of peace.

Old Nixon hands know full well the sad game of "if onlies," and you will not count us among the nit-picking critics of your campaign. The answer to "why" will not be in the nature of the campaign, but in the character of the campaigners: Richard Nixon understands and represents the basic values of most Americans and George McGovern does not.

Mr. Mankiewicz Replies:

One has to start with the assumption that William Safire is the best of the Nixon men. He has, after all, not been indicted for anything, nor has he been identified as the paymaster of a group committing sabotage and espionage through forgery and allied crimes, nor has he either accused senators of treason nor identified all ministers' sons as liars, so it seems doubly unfortunate that he should so scorn political discussion and debate by avoiding it.

This election is not about values, whatever else it may be about. If it were, Richard Nixon would be debating and discussing them, not running from both his opponent and the public. If it were about values, Nixon would be opening his campaign and ideas to public scrutiny, rather than hiding both the money and the techniques.

The values, to the extent they are at issue, are hardly on Mr. Nixon's side, and one would not think a Nixonite would even use the word. This is demonstrably an administration which sells government favor to the President's friends for money, conceals campaign contributions so as to use them better for criminal activity and condemns the welfare ethic as it goes.

Welfare? Individual initiative? Not looking to Washington? Ask Lockheed, Bill. Ask ITT, and Elmer Bobst and Clement Stone and the carpet manufacturers who have joined with your candidate in setting a new national value — laissez faire as to safety standards for big contributors. Secrecy in government at the service of your friends has never been a traditional American value, and even Nixon surrogates cannot make it one.

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British-Chinese Talks Begin

PEKING—Sir Alec Douglas-Home arrived here yesterday for the first visit to China by a British foreign secretary.

During two hours of talks in the Great Hall of the People, Douglas-Home briefed Foreign Minister Chi Peng-fei on the recent Paris summit meeting of the enlarged Common Market's nine present and prospective member-nations.

British sources said that most of Douglas-Home's session with Chi had concerned European affairs and that China had expressed its support for Britain's entry into the Common Market.

The conversation also covered the Middle East and the Soviet withdrawal of military personnel from Egypt, the sources said.

Irish Unity Asked

DUBLIN—A leader of militant Irish nationalists proposed the formation of a unified Ireland with enlargement of Northern Ireland at the expense of the Republic of Ireland, to the south, and appealed to Protestants and Roman Catholics alike: "Let us wipe the slate clean and start anew"

Rory O'Brady, president of the ultranationalist wing of the Sinn Fein, also attacked Jack Lynch, Ireland's prime minister, in a speech to more than 1,000 delegates at the movement's annual Congress.

He accused Lynch of "total collaboration with the British army," which the Irish Republican Army and Sinn Fein are dedicated to ousting from Ireland.

The British province of Northern Ireland is made up of six counties. In his speech, O'Brady called for transfering three countics from the Republic to the province, to form historic Ulster. He said such a move "will give a healthier balance of population with a credible opposition—something the six-county state of Northern Ireland has always lacked."

Letup in Santiago

SANTIAGO—The weekend brought a temporary letup in the political tensions that have sparked street violence in Santiago since a wave of antigovernment strikes began three weeks ago. President Salvador Allende and his advisers met to plan their next moves. Allende cut off negotiations with the strikers Friday, charging that their demands were unacceptable.

Trade Agreement

TOKYO—Japan and China signed and agreement calling for $120 million in two-way trade in 1973, a 30 per cent rise from expected trade volume this year. The Japanese news agency Kyodo said Japan is expected to import coal and farm products while exporting steel products, machinery and chemical fetilizers.

Lansky Extended

TEL AVIV—The Interior Ministry has agreed to allow Meyer Lansky, a leading figure in the U.S. gambling world, to stay in Israel for another two weeks while he looks for asylum elscwhere. Lansky, 70, arrived in Israel three years ago and applied unsuccessfully for citizenship. The courts ruled that his stay in the country was not desirable.

Letter Bombs

JERUSALEM — Police have all but ruled out Dennis Feinstein, 22, an American, as a suspect in the attempt to mail letter bombs from Israel to President Nixon and two of his top cabinet members. "It appears very doubtful that he was involved," said Chief Superintendent Mordechai Tavor. Nevertheless, he said, Feinstein will be questioned further.

Falange Demonstrates

MADRID—Police broke up an attempt by 200 members of the right-wing Falange movement to hold a street demonstration commemorating the 39th anniversary of its foundation. Meanwhile, Generalissimo Francisco Franco and other Spanish leaders attended an official ceremony marking the founding of the group by Jose Antonio Primo de Rivera in 1933.

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